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with reason to believe that his act may injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, shall wilfully make or cause to be made in a defective manner, or attempt to make or cause to be made in a defective manner, any war material, as herein defined, or any tool, implement, machine, utensil, or receptacle used or employed in making, producing, manufacturing, or repairing any such war material, as herein defined, shall, upon conviction thereof, be fined not more than \$10,000 or imprisoned not more than thirty years, or both.

PROCLAMATION DECLARING TERMS OF THE SHIPPING ACT AS AMENDED BY ACT OF JULY 15, 1918, TO BE IN FORCE.¹

August 7, 1918.

WHEREAS, an Act of Congress, entitled "Shipping Act, 1916," approved September 7, 1916, as amended by an Act of Congress entitled "An Act To amend the Act approved September seventh, nineteen hundred and sixteen, entitled, 'An Act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States; and for other purposes,'" approved July 15, 1918, contains the following provisions:

Sec. 37. That when the United States is at war or during any national emergency, the existence of which is declared by proclamation of the President, it shall be unlawful, without first obtaining the approval of the board:

(a) To transfer to or place under any foreign registry or flag any vessel owned in whole or in part by any person a citizen of the United States or by a corporation organized under the laws of the United States, or of any State, Territory, District, or possession thereof; or

(b) To sell, mortgage, lease, charter, deliver, or in any manner transfer, or agree to sell, mortgage, lease, charter, deliver, or in any manner transfer, to any person not a citizen of the United States, (1) any such vessel or any interest therein, or (2) any vessel documented under the laws of the United States, or any interest therein, or (3) any shipyard, dry dock, ship-building or ship-repairing plant or facilities, or any interest therein; or

(c) To enter into any contract, agreement, or understanding to construct a vessel within the United States for or to be delivered to any person not a citizen of the United States, without expressly stipulating that such construction shall not begin until after the war or emergency proclaimed by the President has ended; or

(d) To make any agreement or effect any understanding whereby there is vested in or for the benefit of any person not a citizen of the United States, the controlling interest or a majority of the voting power in a corporation which is organized under the laws of the United States, or of any State, Territory, District,

or possession thereof, and which owns any vessel, shipyard, dry dock, or ship-building or ship-repairing plant or facilities; or

(e) To cause or procure any vessel constructed in whole or in part within the United States, which has never cleared for any foreign port, to depart from a port of the United States before it has been documented under the laws of the United States.

AND WHEREAS the destruction of maritime tonnage during the present war has rendered it imperative that the American merchant marine be retained under American control, and free from alien influence,

NOW, THEREFORE, I, WOODROW WILSON, President of the United States of America, acting under authority conferred in me by said Act, do hereby proclaim that a state of war and a national emergency within the meaning of said Act do now exist, and I do hereby enjoin all persons from doing any of the things in said Act declared to be unlawful.

For the purposes of said Act of Congress, the national emergency herein proclaimed shall be deemed to continue until its termination has been evidenced by a Proclamation of the President.

In Witness Whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE in the District of Columbia this 7th day of August, in the year of our Lord one thousand nine hundred and [SEAL.] eighteen and of the Independence of the United States of America the one hundred and forty-third.

WOODROW WILSON.

By the President:

FRANK L. POLK,
Acting Secretary of State.

PROCLAMATION INCLUDING GERMANS AND AUSTRO-HUNGARIANS IN THE CUSTODY OF THE WAR DEPARTMENT WITHIN THE TERM "ENEMY" FOR THE PURPOSES OF THE TRADING WITH THE ENEMY ACT.¹

February 5, 1918.

WHEREAS paragraph (c) of Section Two of the Act entitled "An Act To define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, known as the Trading with the Enemy Act,² provides that the word "enemy" as used therein shall be deemed to mean, for the purposes of such trading and of said Act, in addition to the individuals, partnerships or other bodies of individuals or corporations specified in paragraph (a), and in addition to the Government and political or municipal subdivisions, officers, officials, agents or agencies thereof specified in paragraph (b), of said Section Two, the following:

¹ No. 1427.

² This SUPPLEMENT, January, 1918, p. 27.